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120903

22154 U.S.PTO
10/730874



120903

Attorney Case No.: 108-028USANA0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Continuation Application based on co-pending Application of:

Applicant : Frank Check
Serial No. : 09/816,642
Filing Date : March 23, 2001

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

**TRANSMITTAL LETTER ACCOMPANYING THE FILING OF A CONTINUATION
APPLICATION UNDER 37 CFR. 1.53(b)**

Sir:

This is a request for filing a Continuation Application under C.F.R. 1.53(b) of Application No. 09/816,642 entitled "Method of and System for Detecting and Correcting Mode Switching in Diffractive-Based Laser Scanning Systems" filed on March 23, 2001.

Applicant claims priority to the earlier effective filing date of U.S. Patent Application No. 09/816,642 filed March 23, 2001; said application being owned by Assignee, Metrologic Instruments, Inc., of Blackwood, New Jersey, and incorporated herein by reference as if fully set forth herein.

Enclosed is a true copy of Prior Application Serial No. 09/816,642 filed March 23, 2001 as originally filed and a Declaration under 37 C.F.R. 1.53(b) verifying it.

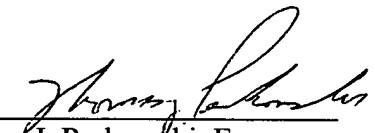
Please amend said prior application in accordance with the Preliminary Amendment filed herewith. Applicant also submits twenty eight (28) sheets of Formal Drawings for entry in the present Application.

Power of Attorney is granted to Thomas J. Perkowski, Esq., of Stamford, Connecticut. A copy of the Power of Attorney filed in parent Application 09/816,642 is enclosed herewith.

Please send all correspondence in connection to the present Application to:

Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902

Respectfully submitted,



Date: December 9, 2003

Thomas J. Perkowski, Esq.
Reg. No. 33,134
Attorney for Applicant
Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
<http://www.tjpatlaw.com>

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. 1.10

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Mailer: Nancy Grimm
Date: December 9, 2003

Attorney Case No.: 108-028USANA0

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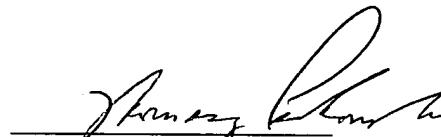
Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

SUBMISSION OF FORMAL DRAWINGS

Sir:

Transmitted herewith please find Twenty Eight (28) sheets of Formal Drawings to be filed in the above referenced Application.

Respectfully submitted,



Thomas J. Perkowski, Esq.
Reg. No. 33,134
Attorney for Applicant
Thomas J. Perkowski, Esq., PC
Soundview Plaza
1266 East Main Street
Stamford, Connecticut 06902
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Nancy Grimm

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REQUEST FOR APPROVAL OF PROPOSED CHANGES TO THE DRAWINGS

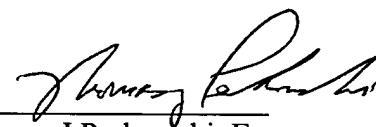
Sir:

Applicant hereby requests approval of proposed changes to Figs. 7(A), 8(A)(i), 8(A)(ii), 8(B)(i), 8(B)(ii), 8(C)(i), 8(D)(i), 8(D)(ii) and 8(D)(iii) which are indicated in red ink on the sheets filed herewith.

Applicant also submits under a separate cover formalized drawings, which include the proposed changes, for entry in the present Application upon approval of the proposed changes.

Respectfully submitted,

Dated: December 9, 2003



Thomas J Perkowski, Esq.
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